

IAP6 Rec'd PCT/PTO 07 MAY 2007

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

	Application Number	10/581,431
	Filing Date	3 December, 2004
	First Named Inventor	BARBAS, Carlos F.
	Art Unit	TBA
	Examiner Name	TBA
	Attorney Docket Number	TSRI 1019.1 US

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input checked="" type="checkbox"/> CD, Number of CD(s) <u>3</u> <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Receipt Postcard; CD Transmittal Cover Letter; Paper Copy of Seq. Listing; List of Corresp. SEQ IDs and seqs. in Disclosure; Copy of Notifcn.
<input type="checkbox"/> Remarks One copy of page 2 of Form PTO-1390 (one page); one copy of pages 2-4 of Written Opinion from ISA/US (3 pages) in support of Petition.		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Bell & Associates		
Signature			
Printed name	Matthew Kaser		
Date	7 May 2007	Reg. No.	44,817

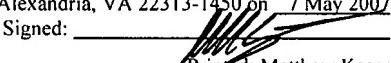
### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Matthew Kaser	Date	7 May 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on 7 May 2007  
Signed:   
Printed: Matthew Kaser

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents  
PO Box 1450  
Alexandria  
VA 22313-1450

US Application No.: 10/581,431  
International Application No.: PCT/US04/40381  
International Filing Date: 3 December, 2004  
Title: Integrin  $\alpha_{IIb}\beta_3$  Specific Antibodies and Peptides  
Inventors: BARBAS, Carlos F. and CHUNG, Junho  
Attorney Docket No. TSRI 1019.1 US

**PETITION FOR WAIVER OF EXAMINATION FEES**

Sir,

This is a Petition for a Waiver of the Examination Fees in response to the Notification to Comply with Requirements under 35 USC § 371, mailed 6 February 2007. A request for extension of time to respond to the Notification accompanies this submission. A copy of the Notification also accompanies this petition.

Applicants believe that no Examination Fee is due for the following reasons.

- 1) The Transmittal Letter to the US Designated/Elected Office Concerning a Submission under 35 USC § 371 (PTO-1390 submitted with the instant US National Phase Application on 2 June 2006) at box number 22 states "Examination fee (37 CFR 1.492(c)): If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0". (Copy of page 2 of Transmittal Letter attached as Item A.)
- 2) The Written Opinion of the International Search Authority (ISA/US mailed to Applicant on 18 November 2005) at Box No. V (2) states "Claims 1-32 meet the requirements of PCT Articles 33(2) and (3)" and "have industrial applicability under PCT Article 33(4)". (Copy of Pages 2-4 of the Written Opinion attached as item B.)

Therefore, Applicants respectfully submit that the Written Opinion prepared by ISA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) and that no Examination Fee under 37 CFR 1.492(c) is due.

Applicants believe that this petition does not require payment of a fee. However, if the Commissioner finds any additional charges or fees must be paid in connection with this communication, they may be paid out of **Bell & Associates Deposit Account No. 50-3194**. The Commissioner is also authorized to credit any overpayment.

Respectfully submitted,



Matthew Kaser, D.Phil.  
44,817

Bell & Associates  
416 Funston Avenue Suite 100  
San Francisco CA 94118  
Phone: (510) 537-2040  
Fax: (415) 276-6040  
[mkaser@bell-iplaw.com](mailto:mkaser@bell-iplaw.com)

Petition for Waiver of Exam Fee  
ITEM A

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO			ATTORNEY'S DOCKET NUMBER
TBA	PCT/US2004/040381			TSRI 1019.1 US
20 Other items or information.  Copy of front page of published international application with ISR; Copy of PCT/IB/304; Copy of PCT/IB/308(first notice); and copy of PCT/IB/308(second notice).  The following fees have been submitted				
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... \$300 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 All other situations ..... \$200				CALCULATIONS PTO USE ONLY
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the ISA ..... \$400 All other situations ..... \$600				\$ 300
<b>TOTAL OF 21, 22 and 23 =</b>				<b>400</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$260 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
- 100 =	/50 =		x \$260	\$
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	32 - 20 =	12	x \$50	\$ 600
Independent claims	4 - 3 =	1	x \$200	\$ 200
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1200</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				
<b>SUBTOTAL =</b>				<b>\$ 1200</b>
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).				\$
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1200</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1200</b>
				Amount to be refunded: \$
				Amount to be charged \$

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2007

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

250.00

## Complete if Known

Application Number	10/581,431
Filing Date	3 December 2004
First Named Inventor	BARBAS, Carlos F.
Examiner Name	TBA
Art Unit	TBA
Attorney Docket No.	TSRI 1019.1 US

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 50-3194 Deposit Account Name: Bell & Associates

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

## 2. EXCESS CLAIM FEES

## Fee Description

		Small Entity Fee (\$)
Each claim over 20 (including Reissues)		50
Each independent claim over 3 (including Reissues)		200
Multiple dependent claims		360

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
- 3 or HP =	x	=			

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
71 - 100 =	0 / 50 =	0 (round up to a whole number) x		

## 4. OTHER FEE(S)

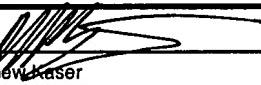
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late Filing Surcharge (\$130); One-month extension of Time (\$120)

Fees Paid (\$)

\$250

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 44,817	Telephone (510) 537-2040
Name (Print/Type)	Matthew Kaser		Date 7 May 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

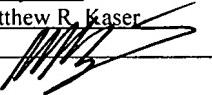
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05/10/2007 JBALINAN 00000084 503194 10571431

01 FC:1617 130.00 DA

05/10/2007 JBALINAN 00000084 503194 10571431

02 FC:1251 120.00 DA

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on 7<sup>th</sup> May 2007  
Printed: Matthew R. Kaser  
Signed: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re U.S. National Phase Application of:**  
**BARBAS, Carlos F. and CHUNG, Junho**

**Title: INTEGRIN  $\alpha_{II}B\beta_3$  SPECIFIC ANTIBODIES AND PEPTIDES**

USSN:	10/581,431
International application number:	PCT/GB2004/040381
International Filing Date:	3 December 2004
Priority application number:	US 60/526,859
Priority date:	3 December 2003

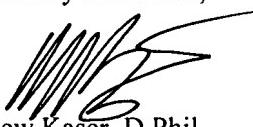
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To:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Enclosed:

- Return receipt postcard
- Transmittal Sheet (1 page)
- Fee Transmittal (1 page, **in duplicate**)
- Request for Extension of Time to Respond (1 page)
- Cover letter for Submission of Corrected Sequence Listing in CRF format
- 2 x CD-ROM Sequence Listing Part, Copy 1; Copy 2, CRF (ASCII)
- 1 x CD-ROM Sequence Listing Part, CRF, (MS Word)
- List showing SEQ ID NOs and corresponding disclosure in Application
- Petition for Waiver of Application Examination Fee

Respectfully submitted,

  
Matthew Kaser, D.Phil.  
Reg. No. 44,817

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